

ORDINANCE 771 8 20 (2amend 2020 9 1)

AN ORDINANCE TO AUTHORIZE THE USE OF GOLF CARTS, ALL PURPOSE VEHICLES, AND OTHER LOW SPEED MOTOR VEHICLES ON PUBLIC STREETS, AND PRIVATE STREETS ACCESSIBLE TO THE PUBLIC, AND NOT DECLARING AN EMERGENCY.

BE IT ORDAINED, by the Village of Roaming Shores, County of Ashtabula and State of Ohio:

SECTION 1. For the purpose of this ordinance, the following definitions shall apply:

(a) “All purpose vehicles” or “APV” means a self propelled vehicle designed primarily for cross country travel on land and water, or on more than one type of terrain, and steered by wheels or caterpillar treads, or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all terrain vehicles, all-season vehicles, mini bikes and trail bikes.

(b) “Low-speed vehicle” means a three or four-wheeled motor vehicle with an attainable speed in one mile on a paved level surface of more than twenty miles per hour but not more than twenty-five miles per hour and with a gross vehicle weight rating less than 3,000 pounds. Low-speed vehicle includes a vehicle commonly known as a golf cart when the golf cart is capable of attaining a speed in one mile on a paved level surface of more than twenty miles per hour but not more than twenty-five miles per hour.

(c) “Mini-truck” means a vehicle that has four wheels, is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less, has a total dry weight of 900 to 2,200 pounds, contains an enclosed cabin and a seat for the vehicle operator, resembles a pickup truck or van with a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety standards.

(d) “Multi-use vehicle” means under-speed vehicles (including vehicles commonly known as golf carts when the golf cart does not attain a speed greater than twenty miles per hour), utility vehicles, all purpose vehicles and mini-trucks.

(e) “Under-speed vehicle” means a three or four-wheeled vehicle, including a vehicle commonly known as a golf cart, with an attainable speed on a paved level surface of not more than twenty miles per hour and with a gross vehicle weight rating less than 3,000 pounds but does not include a golf cart modified to attain a speed of more than twenty miles per hour.

(f) “Utility vehicle” means a self-propelled vehicle designed with a bed, principally used for the purpose of transporting material or cargo in connection with construction, agriculture, forestry, grounds maintenance, lawn and garden, materials handling, or similar activities. Examples of utility vehicles include Rangers, Razors, and Gators.

SECTION 2. Subject to the requirements of this ordinance, the use of multi-use vehicles shall be permitted on Village streets, or private streets accessible to the public, where the speed limit is thirty-five miles per hour or less.

SECTION 3.

(a) Prior to the operation of a multi-use vehicle on the Village streets, the vehicle must be titled in accordance with R.C. Chapter 4505 and registered in accordance with R.C. Chapter 4503.

(b) Out of state multi-use vehicles are not permitted on Village streets.

SECTION 4. VEHICLE INSPECTION.

(a) Before the owner of the multi-use vehicle may obtain a new or transferred title for the multi-use vehicle, the multi-use vehicle must pass an inspection conducted by the Village of Roaming Shores or other local law enforcement agency in accordance with subsections (b) and (c) of this section. There shall be no inspection fee.

(b) At the time of the inspection, the owner of the multi-use vehicle must present all of the following:

(1) A valid driver's license. If the owner of the multi-use vehicle is a business, the business must require that all persons operating its multi-use vehicles have a valid driver's license;

(2) Proof of insurance;

(3) Proof of ownership;

(4) If the multi-use vehicle is an under-speed vehicle, the owner/operator also must provide proof of the gross vehicle weight. If the multi-use vehicle is a mini-truck, the owner/operator must provide proof of the unladen weight; and

(c) To pass inspection, or to operate upon any public street private street accessible to the public, any multi use vehicle shall have the following equipment in working order:

(1) Brake lights (two lights);

(2) Head lights (two lights);

(3) Tail lights (two lights);

(4) Turn signals (two front, two rear);

(5) A horn;

(6) A rearview mirror;

(7) A windshield ;

(8) Brakes and a brake system;

(9) A steering mechanism;

(10) Appropriate tires that are free of major bumps, bulges, breaks, or any other unsafe conditions;

(11) A properly placed inspection sticker issued by the Village of Roaming Shores police department or other local police department.

(12) A muffler system to reduce engine noise to 82 decibels or less.

SECTION 5. All multi-use vehicles must be operated on Village streets, or private streets accessible to the public, in accordance with all applicable state and local traffic laws, including but not limited to the following:

(a) Anyone who operates a vehicle on the Village streets must have a valid driver's license.

(b) A vehicle must have the required license plates.

(c) A vehicle must have at least minimum liability insurance coverage as required by the State of Ohio.

SECTION 6.

- (a) No person shall drive a multi-use vehicle on a public or private street accessible to the public without an inspection sticker from the Village of Roaming Shores or other local law enforcement agency, or otherwise violate the terms and conditions of this ordinance.
- (b) No person shall allow an underage or unlicensed person to operate on a public or private street accessible to the public any multi use vehicle.

SECTION 7. LOW-SPEED VEHICLES.

In accordance with applicable provisions of the Ohio Revised Code, the use of low-speed vehicles shall be permitted on Village streets, or private streets accessible to the public, where the speed limit is thirty-five miles per hour or less. All such use must also be in compliance with Sections 490.03, 490.05 and 490.06 of this chapter.

SECTION 8. UNSECURED LOADS.

Objects, such as luggage, freight, coolers, wheel chairs, car seats, strollers and other similar objects, shall not be transported on a low-speed vehicle or under-speed vehicle unless the objects are properly secured within a flat bed or cargo area with the tailgate closed and/or with cords, straps, ties, netting or other appropriate restraints to secure the objects and prevent them from falling onto the roadway.

SECTION 9. PENALTY.

- (a) A violation of Section 6(a) shall be a minor misdemeanor. Each day of noncompliance shall constitute a separate violation. Individuals, corporations, companies so named on the title of said vehicle shall be responsible for all safety equipment and shall also be responsible for all penalties set forth in this section.
- (b) A violation of Section 6(b) shall be a first -degree misdemeanor.
- (c) A violation of Section 5 shall be a first-degree misdemeanor.

SECTION 10. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council or any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 11. This ordinance is not an emergency and shall take effect thirty days after passage.

Passed this _____ day of _____, 2020.

Jennie D'Amicone, Mayor

ATTEST:

Leeann Mosses, Clerk/Treasurer

Kyle B. Smith, Solicitor

I hereby certify that a summary of the foregoing ordinance was published twice in the Ashtabula Gazette on the following dates, _____ and _____

Village Clerk/Treasurer